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ABSTRACT

This paper provides a comparative perspective on a language minority group in the United States, offering insights into the development of language policies for a new, developing multicultural Europe. It begins with background information that frames the current policies and cultural debates about Spanish, and to a lesser degree other non-English languages, in California and the United States. It describes language demography, discusses school enrollment trends among minority and immigrant language speakers, and notes the official status of languages in the United States, explaining that even though there is not an official, national, or constitutional U.S. language, English is the single language of government. The paper discusses language debates in the United States in the 1980s and beyond and concludes by explaining that the language politics in California in the last 2 decades has challenged and shifted the principles around which educational policy was built. There was a definite cultural policy backlash against immigrants and language minorities during the last decade of the millennium. It may require a substantial shift in political representation by language minorities for the interests of minorities to be reflected in law and educational policies. (Contains 8 tables and 13 references.) (SM)

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Minority languages in the United States, with a focus on Spanish in California

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Minority languages in the United States, with a focus on Spanish in California

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The purpose of this chapter is to provide a comparative perspective on a language minority group in a non-European state that might provide some insights to the development of language policies for a new and developing multicultural Europe. While it is useful to provide such a case study, I begin this chapter with some historical background information that helps frame the current policies and cultural debates about Spanish, and to a lesser degree other non-English languages, in California and the United States. I then proceed to describe more in detail the language demography of the nation, the school enrollments of minority and immigrant language speakers, and the official status of languages. A brief discussion regarding the language debates within the country completes the chapter.

Historical background

The language diversity of the north American continent on the eve of contact with Europeans has been estimated at over 500 languages. The number of these languages which have survived until today, is less than half. At the same time, colonial languages - English, Spanish and French - have become dominant and hegemonic throughout this region. English has become dominant within the United States as the legacy of the British colonies which declared their independence and formed the country. The progeny of the British colonists and other settlers and immigrants adopted English as the national (rather than official) language across generations. The history of Spanish, however, is different from that of English.

The history of Spanish in the Americas can also be traced to the contact between Europeans and the indigenous populations in these continents in 1492. Sociolinguists often divide languages in an area into three categories related to the history and settlement of the speakers: indigenous, colonial

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and immigrant languages. Unlike colonial languages in other parts of the world, Spanish in the 'Americas' became the native language of much of the indigenous, native-born majority over time. Through racial miscegenation and social restructuring, even the social self-image in parts of the continent became the new racially-mixed and blended people of *La Raza* (the people) or *mestizos* (bi-racial). One source indicates that the contribution to this new people was heavily skewed in favour of the indigenous stock - estimated at between 5 and 25 million in middle America alone on the eve of contact with Europeans (Wolf, 1966).

Even with the decimation of the indigenous population that took place within the two generations after contact, it is estimated that there were over three to five million indigenous people in middle America by the end of the 16th century. During the entire colonial period of 400 years, only 300,000 Europeans, and close to 275,000 people of African ancestry, entered this region (Wolf, 1966). So, while we can identify Spanish as a colonial language, it is much harder to make the case that current day speakers of the language are descendants of the colonizers alone, primarily so, or even equally so. The current day *mestizo* Spanish-speakers are primarily an indigenous 'group'. While this group may continue cultural practices and values of these historical indigenous populations, they contrast sharply with those currently identified indigenous groups who have maintained a continuity of indigenous culture, language and identification through the more than half millennium since 1492. The current Mexican and the other varieties of 'American' Spanish, however, also reflect vital contributions from the indigenous languages of the area.

The British colonies in the northeastern American continent declared independence in 1776, and the United States was founded in 1789, with the ratification of the Constitution by the 13 former British colonies. Between 1803 and 1848, the United States expanded from the eastern coast of north America 2500 miles to the western coast of this northern continent. In this expansion, it gained, through purchase and military conquest, a substantial amount of new territory, occupied in most instances with populations of indigenous groups and settlers. The United States often adopted the social and other organization of the prior sovereigns in these territories, especially if they were from previous colonial powers or other declared independent states (e.g. Mexico). Indigenous populations were most often forcibly moved west, and then ensconced by the national government on federal reservations.

Nearly two-thirds of the current mainland jurisdiction of the United States was, at one time, under a Spanish-speaking sovereign-Spain or

Mexico. In 1848, in fact, the United States gained more than 900 square miles of territory as spoils of the US-Mexican war. This ceded territory became all or parts of 13 states within the union, including California. Close to 100,000 Mexicans and another 100,000 American Indians were already settled on those lands. At the end of the 19th Century, the United States intervened in the Cuban war of independence from Spain, and in the process gained Cuba, Puerto Rico and the Philippines. It currently still includes Puerto Rico as part of its jurisdiction. In part, as a recognition of the prior sovereign in these areas, and also as a recognition of the predominantly Spanish-speaking populations of these conquered areas, the federal government of the United States recognized an official status for Spanish for varying periods of time, and for various purposes. It currently recognizes the official bilingual status, in English and Spanish, of Puerto Rico. Table 1 shows a brief historical profile of the Spanish speaking population within the nation.

While it is clear that the Spanish language has benefited from a continuous 'in-migration' of Spanish speakers, it is also clear that the principal introduction of Spanish speakers to the United States took place as a result of military conquest and territorial expansion in the 19th century. During the 20th century, the increase of the Spanish speaking population not only kept pace with the population growth of the country, but exceeded it. In 1900, the Spanish speaking population was estimated at 2% of the national population, while in 1990, it was estimated at over 8%.

Language demographic profile of the nation

The total national population increased 10% between 1980 and 1990, from 226 million to 248 million persons. The total number of persons who spoke a language other than English increased almost four times more greatly (38.6%) during this same decade (see Table 2). More than 31.8 million people (14% of the nation's population five years old and over) said that they spoke a language other than English in 1990, compared with 23.1 million (11%) a decade earlier. After English, Spanish was the most common language spoken in the US. Over half (54.4%; 17.3 million) of those who said they spoke a language other than English in 1990, reported that they spoke Spanish. In 1980, about 11.1 million persons spoke Spanish, 48% of all those who spoke a language other than English.

Table 1 Spanish speaking population in the United States, 1850-1990

Year	*Total US population*	*Spanish speakers on mainland US*	*Population of Puerto Rico**	*Total number of Spanish speakers* N	*% of total popul*
1850	23,191,876	118,000	–	118,000	0.5
1860	31,443,321	170,000	–	170,000	0.5
1870	39,818,449	234,000	–	234,000	0.6
1880	50,155,783	333,000	–	333,000	0.7
1890	62,947,714	423,000	–	423,000	0.7
1900	75,994,575	562,000	953,200	1,515,200	2.0
1910	91,972,266	448,000	1,118,000	1,566,000	1.7
1920	105,710,620	850,800	1,299,800	2,150,600	2.0
1940	131,669,275	1,861,400	1,869,300	3,730,700	2.8
1960	178,464,236	3,336,000	2,349,500	5,685,500	3.2
1970	203,302,031	7,823,600	2,712,000	10,535,600	5.2
1980	226,642,199	11,745,400	3,141,880	14,887,280	6.6
1990	248,718,301	17,345,064	3,451,596	20,796,660	8.4

* Most of these numbers come from the respective census for the date. Total population counts come from: US Census Bureau (1999: 8, Table 1: Population and Area: 1790 to 1990). The data for 1980 and 1990 for Puerto Rico are 98% of the total population counts for the respective census of Puerto Rico. The percentage reflects the proportion of the population five years and older that reported speaking Spanish. The rest of the data comes from Macías (2000).

Table 2 Changes in the non-English speaking population between 1980 and 1990, US, by language and age groups (Source: Macías, 1993)

	1980 Total		*1990 Total*		*Net change*		
	N	%	*N*	%	*N*	*% of change*	*% increase*
Non-English language speakers	22,973,410	100.0	31,844,979	100.0	8,871,569	100.0	38.6
5-17 yrs	4,529,098	19.7	6,322,934	19.9	1,793,836	20.2	39.6
18+ yrs	18,444,312	80.3	25,522,045	80.1	7,077,733	79.8	38.4
Spanish	11,117,606	100.0	17,345,064	100.0	6,227,458	100.0	56.0
5-17 yrs	2,947,051	26.5	4,167,653	24.0	1,220,602	19.6	41.4
18+ yrs	8,170,555	73.5	13,177,411	76.0	5,006,856	80.4	61.3
Other	11,855,804	100.0	14,499,915	100.0	2,644,111	100.0	22.3
5-17 yrs	1,582,047	13.3	2,155,281	14.9	573,234	21.7	36.2
18+ yrs	10,273,757	86.7	12,344,634	85.1	2,070,877	78.3	20.2

Many of the non-English language speakers were also distributed unevenly throughout the country. The next most widely used language, after Spanish, varied by region - Italian and German spoken more frequently in the Northeast and Midwest, and French and Chinese in the South and West. Among non-English language speakers, Spanish was the prevailing language in 39 states and the District of Columbia. More than half of all non-English language speakers in 1990 were in three states: California (8.6 million), New York (3.9 million) and Texas (4 million). New Mexico had the largest percentage of non-English language speakers at 36%, followed by California with 32%. In 18 states the proportion of persons who spoke a non-English language was 10% or greater.

Spanish was ten times more widely spoken than French, which was spoken at home by 1.7 million in 1990, while the next most widely spoken non-English language spoken in the home was German at 1.5 million speakers, followed by Italian at 1.3 million and Chinese at 1.2 million. About 4.5 million persons spoke an Asian or Pacific Island language and nearly 332,000 spoke a Native North American language. The Census Bureau tabulations provided for 380 language codes in the 1990 census, 170 of which were Native North American language codes.

In addition to the question about speaking a non-English language, the Census questionnaire included a question on the person's ability to speak English. Using this question, one can construct profiles of oral bilingualism for the national population. The 1990 Census provided information on the English speaking ability of non-English language speakers, five years and older. The English speaking ability was reflected in answers of 'very well', 'well', 'not well', 'not at all'. If we divide these answers into two groups ('very well' and 'well' in one group, and 'not well' and 'not at all' in the second group), then we can combine them with the non-English language information and get a rough idea of the group bilingualism in the United States. Most language groups have a high degree of bilingualism, some as high as 90% (see Table 3). In the top 50 non-English languages, 21 language groups have more than 90% of their speakers who speak English very well or well. Most of these languages are European languages (e.g. Danish, Dutch, Swedish, Hebrew, Norwegian, Pennsylvania Dutch, Finnish, Czech, German). Some of the non-European languages included in this group were Cajun, Tagalog, Bengali and Hindi.

Those language groups with a low percentage of bilinguals, and a high percentage of non-English monolinguals (who speak English 'not well' or 'not at all'), include Miao (Hmong), Cambodian, Korean, Chinese, Viet-

Table 3 Languages spoken at home and ability to speak English, ranked for persons five years and over, 1990 (Source: US Census Bureau, 1993)

Language and rank	*Total*		*% of NEL speakers who speak English*			
	N	*%*	*Very well*	*Well*	*Not well*	*Not at all*
US population, 5+ yrs	230,445,777	100.0				
Speak English only	198,600,798	86.2				
Speak a non-English language	31,844,979	100.0	56.1	23.0	15.2	5.8
Spanish	17,339,172	54.4	52.1	21.9	17.5	8.4
French	1,702,176	5.3	72.0	18.7	8.8	0.5
German	1,547,099	4.9	75.1	18.4	6.3	0.3
Italian	1,308,648	4.1	66.8	21.7	10.2	1.3
Chinese	1,249,213	3.9	39.7	30.4	21.2	8.7
Tagalog	843,251	2.6	66.0	26.6	6.9	0.6
Polish	723,483	2.3	63.0	23.4	11.8	1.8
Korean	626,478	2.0	38.8	31.1	24.7	5.4
Vietnamese	507,069	1.6	36.7	35.0	23.3	4.9
Portuguese	429,860	1.4	54.7	22.4	16.6	6.3

namese, Thai, Russian, Spanish and Armenian. These groups all have more than 25% of their speakers who are monolingual in these languages. These groups tend to be from Asian origins, partly because they reflect a high number of recent immigrants to the country.

School enrollments of minority and immigrant languages speakers

Schools in many states, including California, require a home language survey of all new students. If there is a non-English language in the new students background, there is a determination of the student's English language ability, and sometimes of the proficiency in the language other than English. If a student with a non-English language background is fluent in English, (s)he is considered Fluent English Proficient (FEP) by the school. If the student is not able to speak, understand, read and write in English well enough to participate in an English-only classroom, then (s)he is classified as Limited English Proficient (LEP) or as an English Language Learner (ELL) (see Table 4 for the state summary of the numbers of students by these categories). There is no distinction made between immigrant languages and minority languages. In fact, there is a presumption that all non-English languages are spoken by immigrants.

The instructional services provided for the English language learners between 1980 and late 1998 were organized or described in four categories: 1) English language development alone with the goal of developing English language abilities (ELD); 2) English language development and specially designed academic instruction in English (SDAIE), which is designed to teach non-language subjects to English language learners while taking into consideration their limited abilities in English (not unlike sheltered English instruction); 3) ELD, SDAIE and primary (non-English) language support - usually oral and informal support for understanding instructions and social organization of the classroom; and 4) ELD and academic instruction using the primary language. The annual language census collected data on these services (see Table 5). Through 1998, these data indicated that 70% of the English Language Learners in the state received their academic instruction entirely in English. Bilingual instruction (using both languages for academic instruction), was not widespread. Even if one included the informal use of the primary language, only half of the students were in classrooms using the non-English language.

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Table 4 English language learners in California public schools, K-12, spring 1999 (Source: California Department of Education, 1999, statewide summary data)

	English learners / LEP		*Fluent English proficient*		*Totals*	
Language	*N*	%	*N*	%	*N*	%
State enrollment					5,844,111	100.0
All non-English languages	1,442,692	100.0	758,363	100.0	2,201,055	37.7
Spanish	1,181,553	81.9	479,102	63.2	1,660,655	28.4
Vietnamese	41,456	2.9	34,443	4.5	75,899	1.3
Hmong	29,474	2.0	6,453	0.9	35,927	0.6
Cantonese	25,556	1.8	27,992	3.7	53,548	0.9
Philipino (Tagalog)	19,041	1.3	37,977	5.0	57,018	1.0
Khmer (Cambodian)	17,637	1.2	10,610	1.4	28,247	0.5
Korean	15,761	1.1	26,256	3.5	42,017	0.7
Armenian	12,726	0.9	9,945	1.3	22,671	0.4
Mandarin (Putonghua)	10,388	0.7	23,248	3.1	33,636	0.6
Russian	8,143	0.6	6,395	0.8	14,538	0.2
Punjabi	7,762	0.5	5,101	0.7	12,863	0.2
Lao	7,703	0.5	4,772	0.6	12,475	0.2

Table 5 Instructional services to English learners in California public schools, K-12, spring 1995-1999 (in %) (Source: California Department of Education, 1999)

	1995	*1996*	*1997*	*1998*	*1999*
English language development	14.8	13.5	11.5	11.4	10.6
ELD + SDAIE	14.5	16.0	19.9	21.8	28.5
ELD + SDAIE + primary language support	19.8	19.7	21.6	21.7	32.8
ELD + ASPL	29.8	30.2	29.7	29.1	11.7
Other or none	23.1	20.6	17.4	15.9	9.8
None	-	-	-	-	6.7

In June of 1998, California voters adopted Proposition 227, which mandated that English be used to teach English throughout California, and that English language learners be taught through a 'structured English immersion' approach for a period not normally to exceed a year. This proposition was widely promoted and seen as an attempt at eliminating the use of the non-English language for instruction in California public schools. By the end of the first year of implementation, spring 1999, nearly half of English language learners were in a structured English immersion classroom, while almost another third were in English language mainstream classrooms (see Table 6). About 12% of these students were receiving their academic instruction in the non-English language and English language development - almost the percentage who were in Proposition 227 alternative courses of study - and over a 17% drop from the previous year, 1998.

The conflict of the election over Proposition 227 has continued through the first year of implementation, with teachers, parents and lawyers lined up on various sides of the issue on how best to protect and teach limited English proficient students. Bilingual education in California, like in the rest of the nation, is a transitional programme, offered only until such time as a student acquires enough English language proficiency to participate in an English only classroom. There are a few programmes called dual immersion, which have as their goal the bilingualism and biliteracy of all the students in the programme. These programmes are

only partly directed at students with limited English proficiency and are attractive to the dominant English monolingual as a way of developing second or foreign language skills and abilities, mainly in the elementary schools.

Table 6 English learners enrolled in California public schools, by type of instructional settings, spring 1999 (in %) (Source: California Department of Education, 1999)

	1999
Structured English immersion	48.7
Alternative course of study	12.4
English language mainstream-students meet criteria	28.9
Entlish language mianstream-parental request	3.1
Other	6.9
Total	1,442,692

There is very little direct programmatic relationship or interaction between English language learners and their educational needs and those students enrolled in foreign language study. The extent of foreign language study in California can be reported for the 1997-1998 academic year. There were a total of 759,635 students enrolled in 25,271 foreign language classes throughout the state, mainly in secondary schools (see Table 7). The Spanish language was the most extensively studied, with 77% of the statewide enrollment. It was followed far behind by French (14%), German (2.6%) and Japanese (1.1%). The state curriculum framework for foreign languages supports a communicative approach to instruction.

Official status of languages

As of the year 2000, the United States does not have an official, national or constitutional language. However, English is by and far the single language of government. The founders of the country's political structure avoided declaring an official national language because of the language diversity of the colonies/new states, and because there was a commitment to a political pluralism. While a number of the founders

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Table 7 Foreign language enrollments, by language and type of classroom, in California public schools, 1997-1998 (Source: California Department of Education, 1999)

Language	*First and second year*	*Advanced*	*Native speakers*	*Advanced placement-language*	*Advanced placement-literature*	*Total*	*% of total foreign language enrollments*
Spanish	407,404	95,386	53,344	25,689	4,237	586,060	77.2
French	85,459	18,464	-	3,891	267	108,081	14.2
German	15,140	3,981	-	674	-	19,795	2.6
Japanese	6,837	1,494	-	-	-	8,331	1.1
Chinese	4,111	1,405	166	-	-	5,682	0.7
Latin	3,948	1,159	-	-	251	5,358	0.7
Italian	1,301	382	-	-	-	1,683	0.2

individually longed for a cultural unity, this was sacrificed for a belief that national unity could be fashioned from a political pluralism (*e pluribus unum*). A current movement, begun around 1980, has been pressing for declaring English the official language of the country, with little success so far. This movement has been far more successful in persuading various states to make such declarations, usually through popular plebiscites. Approximately 34 states, including California, have declared English the official state language, almost half of these since 1980.

The Congress has adopted several laws, however, since 1964, which give minimal civil right protections to non-English language speakers, under the colour of banning national origin discrimination. These laws allow for the use of non-English languages in electoral services, in federal criminal judicial proceedings, and they regulate the adoption of English-only rules in the workplace. The Congress has also adopted a Native American Languages Act (1990), with the purpose to provide for the maintenance and recovery of American Indian, Eskimo, Inuit, Hawaiian and Pacific Islander languages. However, the findings in this law, and the purposes to which it is dedicated, are not applicable to immigrant or non-English colonial languages.

None of the contemporary international human rights treaties or covenants to which the United States is a signator, and which address language rights or issues, are enforceable within the United States. California, having come to the United States as spoils of the war with Mexico in 1848, has had Spanish as well as English as official languages for different periods of time and purposes. In the California Constitutional Convention in 1849, the eight Spanish surnamed delegates and the immediate history of the area wielded much linguistic influence on the proceedings and the other 40 delegates. The Convention elected an official translator, and all resolutions and articles were translated before being voted upon. The final document was simultaneously published in Spanish and English (Leibowitz, 1971: 46-47). Act XI, Sec. 21, Misc. Provisions of the California Constitution of 1849, reads, in part:

> All laws, decrees, regulations and provisions which from their nature require publication shall be published in English and Spanish.

Many of these notices were published in newspapers throughout the state in order to comply with this Constitutional requirement, and thus, indirectly, provided the extant Spanish language press with a government

subsidy. As the English language newspapers began to develop, they often included 'Spanish pages' in order to qualify for the money for the Spanish language notices as well.

At the time of statehood for California in 1851, 18% of all schooling in the state was private and Catholic (Leibowitz, 1971: 47). These schools were usually taught in Spanish, and, of course, consisted mostly of Mexicans. The Catholic schools were initially state-supported. In 1852, the state prohibited religious schools from receiving state funds. The State Bureau of Public Instruction, in 1855, went further in the area of schooling by stipulating that all schools must teach exclusively in English. The Catholic Church initially led the fight opposing the imposition of English in California schools, even by partially encouraging bilingual schooling, but soon after 1855, under the direction of the Baltimore Diocese, it was a primary proponent of assimilation (Leibowitz, 1971: 48).

After gold was discovered in California in 1849, a large number of Euro-Americans and European, Latin American and Asian immigrants flooded to the northern California mountains to look for their fortune, quickly displacing in numbers the indigenous populations. Southern California, however, remained 'Mexican' in population well into the 1870's. The state laws, however, were made in the north and not always favourable to what was perceived as the Mexican south. The California legislature of 1854, and the general issues of the day, were dominated by the anti-Catholic, anti-'alien' Know Nothing party. Language policies were one of the areas in which they sought to battle their 'enemies'. The California legislature passed laws requiring court proceedings to be in English, a $5/month 'foreign' miners tax (aimed at Mexicans and also the Chinese, who, beginning in 1847, were being drawn to California as cheap labour), a $50 head tax on immigrants ineligible for citizenship (Leibowitz, 1971: 48), and the 1855 'Pigtail' ordinance, 'which required the removal of queues from Chinese men convicted of breaking the law' (Castro, 1977: 94).

The racial tensions and conflicts in California reflected similar social strains in other parts of the ceded Mexican territory which has become the Southwestern US The race riots and lynchings and wanton disregard for Mexican life and Indian life (there was seldom a distinction made) expanded to include the Chinese. There were 50,000 Chinese in California by 1870. In 1870, the California State legislature also enacted a statute providing that all the schools in the state (religious and public) be taught in the English language (Leibowitz, 1971: 50). This law superseded the State Bureau of Public Instruction's similar regulation of 1855. In 1894, the

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California legislature was busy amending its 1879 Constitution: to restrict the vote to those who could read and write English and to require official proceedings in all branches of government to be conducted and published in no other than the English language (Leibowitz, 1971: 50).

By the beginning of the 20th century, California had subjugated non-English languages, especially Spanish, which had a special status as the official language of the prior sovereign, English was the official language of instruction in the schools, English literacy was required for voting, and English was the language for administration of government. This was the language policy in California for most of the 20th century, until the Civil Rights movement of the sixties caused the federal passage of the Civil Rights Act (1964), the Voting Rights Act (1965) and the Bilingual Education Act (1968). While the Civil Rights and the Voting Rights Acts had to do with the rights of the population, the Bilingual Education Act only provided funds for the development of a select few programmes to demonstrate the effectiveness and utility of using two languages for instruction to improve the academic achievement of language minorities.

The passage of the Bilingual Education Act, however, caused three things to happen: (1) it encouraged states to repeal the state laws that prohibited the use of the non-English language, or that mandated only English as the medium of instruction in public schools; (2) signalled that it was alright to use the non-English language to teach language minority students; and (3) made nationally visible the condition and problems of language minority students. California was one of the states which repealed its English-only policy in the public schools, and adopted a 'bilingual' approach as the media of instruction for language minority students. It took almost a decade for these programmes to be widely implemented, develop a theoretical and research base.

The earlier restrictive language policies started to give way to a broader, participatory set of language policies. These included:

- The 1974 *Lau v. Nichols* US Supreme Court decision which required school districts to provide language services for students who were not proficient in English in the public schools.
- The 1974 Equal Educational Opportunity Act, prohibiting language discrimination.
- The 1975 amendments to the Voting Rights Act of 1965, provided for bilingual ballots and electoral services for Latinos, American Indians and Asian language groups.

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- The 1978 Court Interpreters Act providing interpreters for deaf, hard-of-hearing as well as language minority defendants in Federal Court who could not understand English well enough to participate in those proceedings, so as to meet their needs as well as the Court's needs.

By 1980, there were several laws that reflected the national linguistic diversity in national language policies. Many of the restrictive English language policies established at the beginning of the 20th century were eliminated in the name of an expanded understanding of civil rights. The Civil Rights movement itself in this country, however, had not paid much attention to language as a right or as an issue. With the exception of bilingual education, language policy was an intimate concern of language minority groups and their organizations. This is an important point for understanding how the language debate developed and changed between 1980 and 2000.

The language debates in the eighties and beyond

Three key points should be made about the language debates of the eighties: political organizations exclusively or primarily organized around language issues were created, reflecting the polarization of the debate and the refinement of the ideologies and polemics of the debate; there were changes in the official status of English; and the public policy debates on language broadened and took on a greater importance within the national body politic.

During the eighties, organizations were created on at least two sides of language policy issues: those promoting an official status for English and those opposed to it. Those promoting an official status came to be known as the English Only movement, while those that opposed an official status for English argued for English-plus goals. Specific goals for each side were identified and clearly centered on language. Unlike the seventies, language issues became part of the national policy debates because of these organizations.

In general, the goals of the English-only movement can be summarized as follows:

- Amend the US Constitution to designate English as the official language of the US.
- Raise public awareness of the threat that other languages pose to English by organizing local English Only groups and increasing the media attention on the issue.

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- Reduce or eliminate language assistance and bilingual programmes and policies. The movement has advocated to eliminating services in non-English languages like 911 emergency services, bilingual materials regarding free pre- and post-natal care, and information on public health issues.
- Reduce funding for bilingual education and restrict those programmes to make minimal use of the non-English language.
- Make proficiency in English a precondition for citizens to exercise their right to vote by eliminating bilingual ballots and electoral services.
- Adopt stricter standards of English language proficiency in determining eligibility of citizens.
- Adopt measures penalizing government workers and other public employees who speak non-English languages and promote English only rules in the workplace.
- Monitor and discourage the use of non-English languages by businesses for advertising and other activities.

The English-plus movement that was a reaction to the English-only movement had its own goals:

- To block passage of the English language amendment at the federal, state and local level.
- To increase public awareness of the dangers to civil rights posed by English-only, nativist movements.
- Increase public awareness of the assimilation process among immigrants and other factors outlining valuable facts about bilingual ballots and bilingual education.
- Work for continued availability of bilingual education programmes for children and increased levels of funding for those programmes.
- Create new programmes and opportunities for adults to become proficient in English.

These organizations specifically created to oppose the English Only movement did not survive the eighties. The organizations that came together in these anti-English-only coalitions have continued to oppose the movement, reflecting the English-plus goals and strategies faithfully in the absence of an alternative strategy through most of the eighties and nineties. The changes in the official status of English came mainly in the second half of the eighties, and mainly at the state and local levels. Some of these changes were constitutional changes, others were programmatic changes. For example:

1981 Virginia adopted English as official language.
1984 Indiana, Kentucky, Tennessee adopted English as official language.
1984 English only 'Bilingual education' programmes were allowed in the Federal Bilingual Education Act reauthorization. These 'Special Alternative' programmes were part of a budget compromise that increased the amount authorized for the Act in exchange for a percentage of the new monies to be spent on programmes that used only English for instruction of Limited English Proficient students.
1986 California passed an initiative declaring English the official language of the state. This initiative became a bellwether for other states which allow for the creation or adoption of law through a popular initiative or referendum.
1986 The Immigration Reform and Control Act required English language and citizenship classes for those persons who wanted to regularize their immigration status within the US, through an 'amnesty' programme.
1987 Arkansas, Mississippi, North Carolina, North Dakota, South Carolina adopted English as official language.
1988 Arizona, Colorado, Florida adopted English as official language.
1990 Alabama adopted English as official language.

By 1990, 17 states had declared English as their official language through this process, nine between 1986 and 1988. Most of these laws were constitutional amendments, and had three parts: 1) declaration of English as the official language of the state; 2) a duty of the legislature to enforce this law; and 3) where allowed, a 'private right to action' to enforce the law (meaning that a private citizen has the right to bring suit or a legal case to require the legislature to enforce the law).

In addition to these changes in the status of English, an 'English-plus resolution', written to celebrate and support linguistic and cultural diversity was adopted by several major and medium size cities as well as the states of Louisiana (1987) and New Mexico (1989). Also, many professional organizations adopted resolutions opposing the English Only movement or specific changes in the official status of English, or in celebration of English-plus, multilingualism and multiculturalism:

1986 The National Association for Bilingual Education (NABE), Teachers of English to Speakers of Other Languages (TESOL), adopted resolutions against English-only.
1988 The National Council for Teachers of English adopted a resolution against English-only.

1988 The Mexican American Legal Defence and Education Fund adopted a resolution that outlined the following principles of its language rights programme: Be it further resolved that MALDEF confirms the following principles: 1) the individual has a right to be free from discrimination based on language; 2) language is a national origin characteristic; and 3) individuals have a right to learn English and their native language if it is other than English.

Many of these changes, especially the states' adoption of English as the official language, created a ripple effect of legally questionable actions regarding situational language policies: e.g. private employers requiring English oral language and literacy proficiency as a condition of employment; an excuse for the modification or elimination of bilingual education laws; and individuals acting like language police prohibiting the uses of non-English languages, writing and materials in public. This ripple effect is better understood within the broadening of the public policy debates on language during the decade.

California reflected these national debates. While the 1986 adoption of English as the official state language was declared 'symbolic' by the courts, the language debates swirled around bilingual education and the use of non-English languages in the schools. The state law on bilingual education was not renewed by the Republican Governor of the state in 1986, despite having been passed by the legislature. When Governor Pete Wilson, a Republican, was elected, he vetoed the bilingual education bill. In 1994, he also coopted the sponsorship of a popular referendum (Proposition 187), which prohibited undocumented immigrants from participating in social welfare programmes, medical aid or public schooling. This proposition was passed by the voters, but eventually most of its provisions were found unconstitutional by the federal courts. The debates around this proposition, however, polarized the state and the national body politic. Many of its provisions found their way into the 1996 immigration reforms adopted by the newly-elected, conservative, Republican-led Congress, and were often applied to both undocumented and legal immigrants.

This California proposition was followed with another in 1996, opposing programmes aimed at affirmatively redressing prior racial and sex discrimination (known popularly as Affirmative Action programmes). This proposition (numbered 209) was also passed by the voters, and remains legally viable. Again, the impact of this proposition was to divide the public along similar political lines, and was viewed by racial and

language minorities, in general, as aimed at them, and as anti-immigrant. These two 'wedge issue' propositions were followed with a third in 1998, aimed at making English the official and almost exclusive language of instruction in the public schools, and at ending bilingual instruction. This proposition (numbered 227) also passed. It too was seen as a wedge issue referendum. Voting on these three propositions tended to be by party, by class and by race. It is important to note that the majority of voters who voted on these propositions represented a smaller proportion of the eligible electorate than their proponents or the media would have us believe. These propositions were passed with a far cry from a popular mandate (see Table 8). Their legacy, however, is that they changed the social and political climate in California and provided a momentum for conservative, nativist and xenophobic groups and social forces. While California became more like the rest of the world rather than the rest of the nation, cultural panic ruled the day.

Table 8 Voter eligibility and participation in California's propositions 187, 209 and 227 (Source: Huerta, 1999; Jones, 1998)

	1994	*1996*	*1998*
Propositions	187	209	227
Eligible voters	18,946,358	19,526,991	20,653,410
Registered voters	14,723,784	15,662,075	14,805,677
Actual voters	8,592,969	9,657,195	6,206,618
Voted in favour of propotision	5,063,537	5,268,462	3,582,423
% of registered voters	34.4	33.6	24.2

Outlook

The language politics in California in the last two decades has challenged and shifted some principles around which educational policy was built. California educational policy had a long-time tradition of providing schooling opportunity for all children regardless of residency or citizenship status. This was not a concern of the schools. The broader public good dictated that the education of all children in the state would benefit the state. This principle was challenged, unsuccessfully, by Proposition 187. But its after-taste lingers in the political elixir. A second

principle of educational policy was that a student who was not proficient in English had a right to be taught in a language which (s)he could understand. While the implementation of this left much to be desired, it guided much of the educational policy, teacher education and programme standards for 25 years. This was challenged successfully by Proposition 227. The principle still lives, albeit in diminished capacity, in the persistence of bilingual instruction demanded by language minority parents, and executed by bilingual teachers and administrators.

There has been a definite cultural policy backlash against immigrants and language minorities during the last decade of the last millennium. It is not clear that this backlash has run its course, or that the above stated principles will not be re-affirmed. However, it may require a substantial shift in political representation by language minorities for these interests to be reflected in law and educational policies.

References

California Department of Education (1999) http://www.cde.ca.gov/demographics/reports/statewide/course97.htm

Castro, R. (1977) The bilingual education act: A historical analysis of title VII. In R.F. Macías (ed) *Perspectivas en chicano studies I* (pp. 81-122).

Huerta, R. (1999) *California's initiative process: Tyranny of the majority or tyranny of the minority?* Santa Barbara, CA: University of California, Santa Barbara Center for Chicano Studies.

Jones, B. (1998) *Statement of the vote: Primary election, June 2, 1998.* Sacramento, CA: Secretary of State.

Leibowitz, A. (1969) English literacy: Legal sanction for discrimination. *Notre Dame Lawyer* 45 (7), 7-67.

Leibowitz, A. (1970) The imposition of English as the language of instruction in American schools. *Revista de derecho Puertorriqueño* 38 (10), 175-244.

Leibowitz, A. (1971) *Educational policy and political acceptance: The imposition of English as the language of instruction in American schools.* ERIC document no. ED 047321, (March).

Macías, R. (1993) Language and ethnic classification of language minorities: Chicano and Latino students in the 1990s. *Hispanic journal of behavioral sciences* 15 (2), 230-257.

Macías, R. (in press) Language politics and the sociolinguistic historiography of Spanish in the United States. In P. Griffin, J. Kreeft Peyton, W. Wolfram and R. Fasold (eds) *Language in action: New studies of language in society.* Cresskill, NJ: Hampton Press.

Macías, R. (in press) The flowering of America: Linguistic diversity in the United States. In S. McKay and S. Wong (eds) *New immigrants in the United States: Background for second language educators*. Cambridge: Cambridge University Press.

US Census Bureau (1993) *Language spoken at home and ability to speak English for the United States, regions and states: 1990*. (Special tabulation of the 1990 Census of Population). (1990 CPH-L-133). Washington, DC: US Census Bureau, Education and Social Stratification Branch.

US Census Bureau (1999) *Statistical abstract of the US: 1999*. Washington, DC: US Government Printing Office.

Wolf, E. (1966) *Sons of the shaking earth*. Chicago, IL: University of Chicago Press.